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STATE OF ILLINOIS

HENRY HORNER, Governor



ILLINOIS ARCHITECTURAL ACT



DEPARTMENT OF
REGISTRATION and EDUCATION
Division of Registration



SPRINGFIELD



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STATE OF ILLINOIS
DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN,
Director

EUGENE R. SCHWARTZ,
Superintendent of Registration

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

§ 2. Any one, or any combination, of the following practices by a person shall constitute the practice of architecture, namely: The planning or supervision of the erection, enlargement or alteration of any building or buildings or of any parts thereof, to be constructed for others. A building is any structure consisting of foundations, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts.

§ 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised

by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, *and provided further* that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use, provided that the working drawings for such construction are signed by

the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided, nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall said Act apply to any building, remodeling or repairing of any building or structure within the corporate limits of any city or village, where the total cost of said building, remodeling or repairing does not exceed the sum of seventy-five hundred dollars.

§ 5. Any person who is twenty-one years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, *provided* he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, and language, as may be prescribed by said Department, and has had at least three years' experience in the office or offices of a reputable architect or architects.

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed under the laws of another state or territory of the United States, or of a foreign

country or province, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least twenty-one years of age, of good moral character and temperate habits; and

(b) That the requirements for the registration or licensing of architects in the particular State, territory, country or province were, at the date of the license, substantially equal to the requirements then in force in this State.

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for certificates of registration as registered architects, where these applicants have had less than ten years proved architectural practice as a principal in the practice of architecture as a profession, shall consist of written and drafting tests supplemented by verbal examination at the discretion of the Examining Committee, and shall embrace the following subjects:

(a) The planning, designing and construction of buildings.

(b) The strength of building materials.

(c) The principles of sanitation and ventilation as applied to buildings.

(d) The ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

(e) The examinations of applicants for certificates of registration as registered architects, where the applicant shall have had ten or more years' proved architectural practice as a principal in the practice of architecture as a profession, shall be by exhibits of preliminary studies, general drawings, specifications and detail drawings, prepared under the personal supervision of the applicant by photographs of executed work and evidence of authorship, supplemented by a verbal quiz as to reasons for methods used and procedure shown and by proof of honorable practice, or by any or all of these, which in the judgment of the Examining Committee are necessary to determine the applicant's qualifications as an architect, which shall be equivalent to or superior in relative value to the requirements set forth in the preceding paragraphs of this section for an applicant having had less than ten years' experience.

The Department of Registration and Education may by rule prescribe additional subjects for examination.

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice

architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office, place of business or place of employment.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words, "Registered Architect," "State of Illinois." He shall stamp with this seal all working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act.

§ 12. Every registered architect who continues in active practice shall, annually, on or before the first day of July, renew his certificate of registration and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July in any year shall expire on the first day of August in that year. A registered architect whose certificate of registration has

expired may have his certificate restored only upon payment of the required restoration fee.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than five (5) years may have his certificate of registration renewed, at any time within a period of five (5) years after so retiring, upon making application to the Department for such renewal and upon payment of all lapsed annual renewal fees.

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

(a) Gross incompetency.

(b) Recklessness in the construction of buildings or their appurtenances.

(c) Dishonest practice.

(d) When the architect has been twice convicted for a violation of any of the provisions of this Act.

(e) A person who has by false or fraudulent representation obtained or sought to obtain a certificate of registration as an architect.

The Department of Registration and Education shall not refuse to renew, nor suspend, nor shall it revoke any certificate of registration for any of the above causes until the person accused shall have been given at least twenty (20) days' notice in writing of the charge against him and a public hearing upon such charge has been had by the Department of Registration and Education.

Upon the hearing of any such proceeding, the Director of Registration and Education, the Assistant Director of Registration and Edu-

cation, or the Superintendent of Registration may administer oaths, and the Department of Registration and Education may issue subpoenas and procure and compel the attendance of and the giving of testimony by witnesses and may compel the production of any books and papers deemed relevant to the inquiry by the Department or by the persons designated by the Department under the Civil Administrative Code of Illinois to conduct such inquiry. The accused may have the subpoena of the Department of Registration and Education for his witnesses, and may be heard in person and by counsel, in open public hearing.

Any Circuit Court, or any judge of a Circuit Court, either in term time or in vacation, upon the application either of the Department of Registration and Education or of the accused may, by order duly entered, require the attendance and enforce the giving of testimony of such witnesses and require the production of such books and papers as are above in this section referred to before the Department of Registration and Education or the persons designated by said Department under said Civil Administrative Code to conduct the inquiry, in any hearing relating to the refusal, suspension, renewal or revocation of any certificate of registration. Upon refusal or neglect to obey the order of the said court or judge, the said court or judge may compel, by attachment or proceedings for contempt of court, or otherwise, obedience to the order.

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect shall be ten dollars (\$10).

The fee to be paid by an applicant for a

certificate of registration as a registered architect shall be five dollars (\$5).

The fee to be paid for the restoration of an expired certificate of registration shall be five dollars (\$5).

The fee to be paid upon renewal of a certificate of registration shall be one dollar (\$1).

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States, or of a foreign country or province, shall be fifteen dollars (\$15).

§ 15. The Department of Registration and Education shall adopt rules and regulations in accordance with the provisions of Section 60 of said Civil Administrative Code, and not inconsistent with this Act, to carry out fully and enforce the provisions of this Act.

§ 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200) for each offense:

(a) The practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State.

(b) The making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act.

(c) The affixing of a registered architect's seal to any plans, specifications or drawings

which have not been prepared by him or under his immediate personal supervision.

(d) The violation of any provision of Section 11 of this Act.

All fines and penalties shall inure to the Department of Registration and Education of this State.

§ 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

§ 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July 1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

§ 19. This Act may be known and cited as "The Illinois Architectural Act."

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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
DWIGHT H. GREEN
GOVERNOR



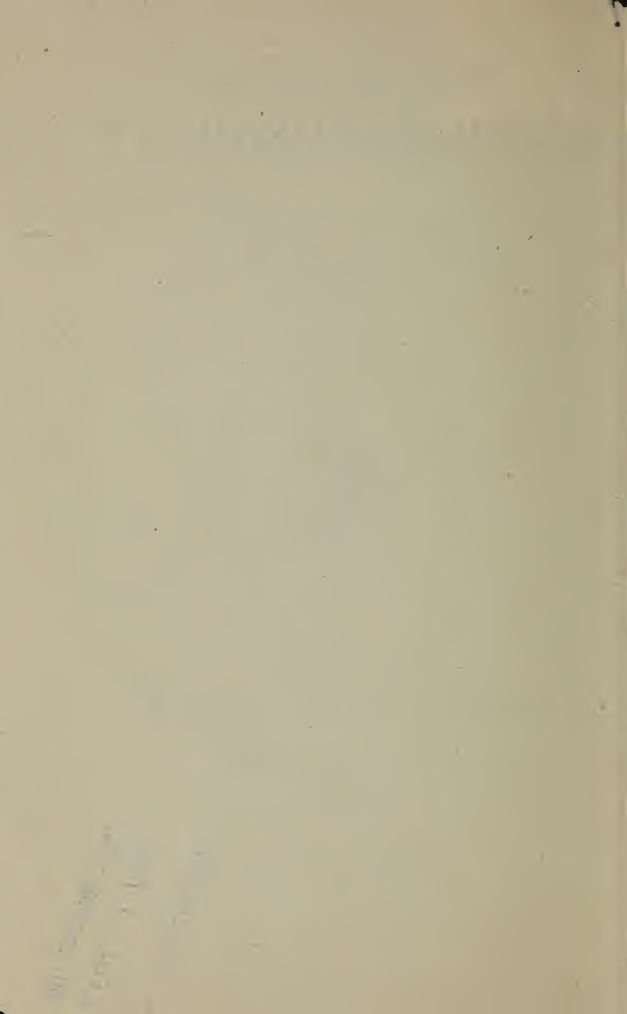
DEPARTMENT OF
REGISTRATION AND EDUCATION

FRANK G. THOMPSON

Director

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named, approved June 24, 1919. In force July 1, 1919.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

§ 2. Any one, or any combination, of the following practices by a person shall constitute the practice of architecture, namely: The planning or supervision of the erection, enlargement or alteration of any building or buildings or of any parts thereof, to be constructed for others. A building is any structure consisting of foundations, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts.

§ 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined

in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use,

provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall said Act apply to any building, remodeling or repairing of any building or structure within the corporate limits of any city or village, where the total cost of said building, remodeling or repairing does not exceed the sum of seventy-five hundred dollars.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

- (1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

- (2) Prescribe rules and regulations for a method of examination of candidates.

- (3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or

other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by said schools, colleges and universities.

(5) To conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five (5) persons, one of whom shall be a member of the Faculty of the University of

Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (Added by Act approved July 8, 1937.)

§ 5. Any person who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so, and is twenty-one years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history and language, as may be prescribed by said Department, and has had at least three years' experience in the office or offices of a reputable architect or architects. (As amended by Act approved July 11, 1939.)

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed under the laws of another state or territory of the United States, or of a foreign country or province, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least twenty-one years of age, of good moral character and temperate habits; and

(b) That the requirements for the registration or licensing of architects in the particular state, territory, country or province were, at the date of the license, substantially equal to the requirements then in force in this State.

(c) That such applicant, at the date of the application, is a citizen of the United States or has made a declaration of intention to become a citizen or, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so. (As amended by Act approved July 11, 1939.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants

for certificates of registration as registered architects, where these applicants have had less than ten years' proved architectural practice as a principal in the practice of architecture as a profession, shall consist of written and drafting tests supplemented by verbal examination at the discretion of the examining committee, and shall embrace the following subjects:

(a) The planning, designing and construction of buildings.

(b) The strength of building materials.

(c) The principles of sanitation and ventilation as applied to buildings.

(d) The ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

(e) The examinations of applicants for certificates of registration as registered architects, where the applicant shall have had ten or more years' proved architectural practice as a principal in the practice of architecture as a profession, shall be by exhibits of preliminary studies, general drawings, specifications and detail drawings, prepared under the personal supervision of the applicant by photographs of executed work and evidence of authorship, supplemented by a verbal quiz as to reasons for methods used and procedure shown and by proof of honorable practice, or by any or all of these, which in the judgment of the examining committee are necessary to determine the applicant's qualifications as an architect, which shall be equivalent to or superior in relative value to the requirements set forth in the preceding paragraphs of this section for an applicant having had less than ten years' experience.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved June 26, 1923, in force July 1, 1923.)

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office, place of business or place of employment.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect," "State of Illinois." He shall stamp with this seal all working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act.

§ 12. Every registered architect who continues in active practice shall, annually, on or before the first day of July, renew his certificate of registration and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July in any year, shall expire on the first day of August in that year. A registered architect whose certificate of registration has expired may have his certificate restored only upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within one year after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than five (5) years may have his certificate of registration renewed, at any time within a period of five (5) years after so retiring, upon making application to the Department for such renewal

and upon payment of all lapsed annual renewal fees.

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

(a) Gross incompetency.

(b) Recklessness in the construction of buildings or their appurtenances.

(c) Dishonest practice.

(d) When the architect has been twice convicted for a violation of any of the provisions of this Act.

(e) A person who has by false or fraudulent representation obtained or sought to obtain a certificate of registration as an architect.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of

Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days. (As amended by Act approved July 8, 1937.)

§ 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

§ 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate

of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

§ 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

§ 13-d. The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing

thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

§ 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

§ 13-f. The Circuit or Superior Court of the County wherein the accused person resides shall have power to review any order of revocation or suspension and all questions of law and fact thereon by writ of certiorari to the Department, provided that if the accused person is not a resident of this State and the venue is not otherwise fixed herein, such venue shall be in Sangamon County.

Such writ shall be issued by the Clerk of the Court upon praecipe and it shall be served at least ten days before the return day thereof. Service upon the Director, Assistant Director

or Superintendent of Registration shall be service on the Department. Such suit shall be commenced within twenty days of the accused person's receipt of notice of the order of refusal, revocation or suspension. The Department shall not be required to certify the record of its proceedings unless the accused person shall first pay to it the sum of five cents per one hundred words of such record. Exhibits shall be certified without cost.

No department order of suspension or revocation shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in this Act. (Added by Act approved July 8, 1937.)

§ 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. Such order of revocation or suspension shall be conclusive proof that all precedent and concurrent acts of department officers and of the committee necessary to the validity of such order were pursuant to authority conferred by the Director. (Added by Act approved July 8, 1937.)

§ 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of an order of the Department may be taken directly to the Supreme Court by either party to the action within sixty days after service of a copy of the order or judgment

of the Circuit or Superior court, and shall be governed by the rules applying to other civil cases appealed to said Supreme Court, except that formal pleadings shall not be required. (Added by Act approved July 8, 1937.)

§ 13-i. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of an order of revocation or suspension; but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order in whole or in part upon such terms and conditions as the court may prescribe. No such stay shall be granted by the court otherwise than upon ten days' notice to the Department and after a hearing. (Added by Act approved July 8, 1937.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect shall be ten dollars (\$10).

The fee to be paid by an applicant for a certificate of registration as a registered architect shall be five dollars (\$5).

The fee to be paid for the restoration of an expired certificate of registration shall be five dollars (\$5).

The fee to be paid upon renewal of a certificate of registration shall be one dollar (\$1).

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§ 15. (Repealed by Act approved July 8, 1937.)

§ 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200) for each offense:

(a) The practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State.

(b) The making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act.

(c) The affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision.

(d) The violation of any provision of Section 11 of this Act.

All fines and penalties shall inure to the Department of Registration and Education of this State.

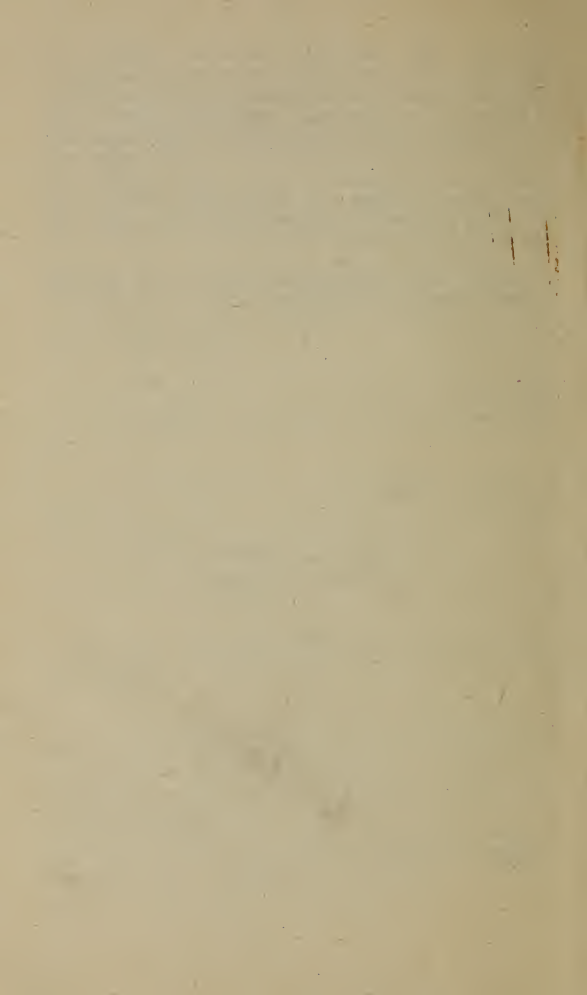
§ 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

§ 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July 1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

§ 19. This Act may be known and cited as "The Illinois Architectural Act."

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State of Illinois)





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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
ADLAI E. STEVENSON
GOVERNOR



DEPARTMENT OF
REGISTRATION AND EDUCATION

C. HOBART ENGLE
Director

NOV 19 1951

UNIVERSITY OF ILLINOIS
SPRINGFIELD

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, 1919.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

§ 2. Any one, or any combination, of the following practices by a person shall constitute the practice of architecture, namely: The planning or supervision of the erection, enlargement or alteration of any building or buildings or of any parts thereof, to be constructed for others. A building is any structure consisting of foundations, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts.

§ 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined

in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect, and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use,

provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall said Act apply to any building, remodeling or repairing of any building or structure within the corporate limits of any city or village, where the total cost of said building, remodeling or repairing does not exceed the sum of seventy-five hundred dollars.

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities.

(2) Prescribe rules and regulations for a method of examination of candidates.

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or

other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants, solely on account of race, color or creed shall be considered reputable and in good standing.

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standards by said schools, colleges and universities.

(5) To conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke or refuse to renew such licenses or certificates or authorities.

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five (5) persons, one of whom shall be a member of the Faculty of the University of

Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examination by the same or other examiners. (Added by Act approved July 8, 1937.)

§ 5. Any person who is a citizen of the United States or who has made a declaration of intention to become a citizen or who, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so, and is twenty-one years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history and language, as may be prescribed by said Department, and has had at least three years' experience in the office or offices of a reputable architect or architects. (As amended by Act approved July 11, 1939.)

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed under the laws of another state or territory of the United States, or of a foreign country or province, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education in its discretion upon the following conditions:

(a) That the applicant is at least twenty-one years of age, of good moral character and temperate habits; and

(b) That the requirements for the registration or licensing of architects in the particular state, territory, country or province were, at the date of the license, substantially equal to the requirements then in force in this State.

(c) That such applicant, at the date of the application, is a citizen of the United States or has made a declaration of intention to become a citizen or, having made such declaration of intention, has filed a petition for naturalization within thirty days after becoming eligible to do so. (As amended by Act approved July 11, 1939.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants

for certificates of registration as registered architects, where these applicants have had less than ten years' proved architectural practice as a principal in the practice of architecture as a profession, shall consist of written and drafting tests supplemented by verbal examination at the discretion of the examining committee, and shall embrace the following subjects:

(a) The planning, designing and construction of buildings.

(b) The strength of building materials.

(c) The principles of sanitation and ventilation as applied to buildings.

(d) The ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

(e) The examinations of applicants for certificates of registration as registered architects, where the applicant shall have had ten or more years' proved architectural practice as a principal in the practice of architecture as a profession, shall be by exhibits of preliminary studies, general drawings, specifications and detail drawings, prepared under the personal supervision of the applicant by photographs of executed work and evidence of authorship, supplemented by a verbal quiz as to reasons for methods used and procedure shown and by proof of honorable practice, or by any or all of these, which in the judgment of the examining committee are necessary to determine the applicant's qualifications as an architect, which shall be equivalent to or superior in relative value to the requirements set forth in the preceding paragraphs of this section for an applicant having had less than ten years' experience.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved June 26, 1923, in force July 1, 1923.)

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office, place of business or place of employment.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect," "State of Illinois." He shall stamp with this seal all working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act.

§ 12. Every registered architect who continues in active practice shall, annually, on or before the first day of July, renew his certificate of registration and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July in any year, shall expire on the first day of August in that year. A registered architect whose certificate of registration has expired may have his certificate restored only upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than five (5) years may have his certificate of registration renewed, at any time within a period of five (5) years after so retiring, upon making application to the Department for such renewal

and upon payment of all lapsed annual renewal fees. (Amended by Act approved July 17, 1947.)

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

(a) Gross incompetency.

(b) Recklessness in the construction of buildings or their appurtenances.

(c) Dishonest practice.

(d) When the architect has been twice convicted for a violation of any of the provisions of this Act.

(e) A person who has by false or fraudulent representation obtained or sought to obtain a certificate of registration as an architect.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least ten (10) days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of

Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed thirty (30) days. (As amended by Act approved July 8, 1937.)

§ 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

§ 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate

of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

§ 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

§ 13-d. The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing

thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

§ 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

§ 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not

a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (Amended by Act approved July 30, 1949.)

§ 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (Amended by Act approved July 30, 1949.)

§ 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (Amended by Act approved July 30, 1949.)

§ 13-i. (Repealed. Act approved July 30, 1949.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect shall be ten dollars (\$10).

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The fee to be paid for the restoration of an expired certificate of registration shall be five dollars (\$5).

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